

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 97,022-D1-CO)

19270 U.S.PTO
10/685737



In re Application of:

Richard Rubin, et al.

Serial No.: To be assigned

Filed: Herewith

For: A System for Cell-Based Screening

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)

Art Unit: To be assigned

Examiner: To be assigned

Mail Stop: Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

1. We are transmitting herewith the attached papers for the above identified new patent application:

- Transmittal (in duplicate);
- Utility Patent Application Transmittal (2 sheets, in duplicate);
- Application Data Sheet (4 sheets);
- Specification (123 sheets, including claims and abstract);
- Preliminary Amendment (5 sheets);
- Drawings (30 sheets);
- Copy of Assignment from prior application (7 sheets);
- Copy of Declaration and Power of Attorney from prior application (7 sheets);
- Return Receipt Postcard.

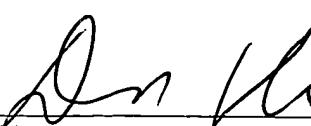
2. With respect to fees:

- The Commissioner is hereby authorized to charge our Deposit Account No. 13-2490 in the amount of \$ 425.00 for the Small Entity Continuation Patent Application Surcharge.

3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 herein-above, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15th day of **October, 2003**. Express Mail No. **EV334708851US**.

By:



David S. Harper
Reg. No. 42,636

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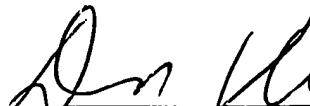
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By:



David S. Harper
Reg. No. 42,636

UTILITY PATENT APPLICATION TRANSMITTAL

*Submit an original and a duplicate for fee processing
(Only for new nonprovisional applications under 37 CFR 1.53(b))*

ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	Attorney Docket No. 97,022-D1CO First Named Inventor Richard Rubin, et al. Express Mail No. EV334708851US
APPLICATION ELEMENTS	
1. <input checked="" type="checkbox"/> Transmittal Form with Fee 2. <input checked="" type="checkbox"/> Specification (including claims and abstract) [Total Pages 123] 3. <input checked="" type="checkbox"/> Drawings [Total Sheets 30] 4. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 7] a. <input type="checkbox"/> Newly executed b. <input checked="" type="checkbox"/> Copy from prior application [Note Boxes 5 and 18 below] i. <input type="checkbox"/> <u>Deletion of Inventor(s)</u> Signed statement attached deleting inventor(s) named in the prior application 5. <input checked="" type="checkbox"/> Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. 6. <input type="checkbox"/> Computer Code Listing (See 1.96) a. <input type="checkbox"/> Microfiche Appendix b. <input type="checkbox"/> CD-Rom (in duplicate, with separate transmittal) 7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy c. <input type="checkbox"/> Statement verifying above copies 8. <input checked="" type="checkbox"/> Small Entity Status <input checked="" type="checkbox"/> is claimed <input checked="" type="checkbox"/> Statement filed in prior application; status still proper and desired <input type="checkbox"/> is no longer claimed. 18. <input checked="" type="checkbox"/> This is a CONTINUING APPLICATION. Please note the following:	
a. <input checked="" type="checkbox"/> This is a <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part of prior U.S. Patent Application Serial No.. 09/352,171, Filed on July 12, 1999. b. <input checked="" type="checkbox"/> Cancel in this application original claims 1-39 of the prior application before calculating the filing fee. (At least one claim must remain.) c. <input type="checkbox"/> Amend the specification by inserting before the first line the sentence: This is a <input type="checkbox"/> continuation <input type="checkbox"/> divisional <input type="checkbox"/> continuation-in-part of application Serial No.. d. <input checked="" type="checkbox"/> The prior application is assigned of record to Cellomics, Inc..	
ACCOMPANYING APPLICATION PARTS	
9. <input checked="" type="checkbox"/> Assignment Papers 10. <input checked="" type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS) <input type="checkbox"/> PTO-1449 Form <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) 16. <input type="checkbox"/> A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i) 17. <input checked="" type="checkbox"/> Other: Application Data Sheet	

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 97,022-D1CO

APPLICATION FEES

BASIC FEE				\$ 770.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	4 -20 =	0	x \$18.00	\$
Independent Claims	1 - 3 =		x \$84.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$280.00	\$
			Total of above calculations =	\$ 770.00
			Reduction by 50% for filing by small entity =	\$(385.00)
<input checked="" type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$ 40.00
			TOTAL =	\$ 425.00

19. Please charge my Deposit Account No. 13-2490 in the amount of \$425.0020. A check in the amount of \$ is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a. Fees required under 37 CFR 1.16.
- b. Fees required under 37 CFR 1.17.
- c. Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

23. CERTIFICATE OF MAILING

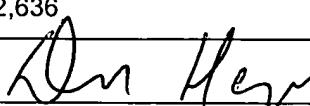
I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

24. USPTO CUSTOMER NUMBER

20306

McDonnell Boehnen Hulbert & Berghoff

25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	David S. Harper
Reg. No.	42,636
Signature	
Date	October 15, 2003

UTIL (Rev. 11/21/00)